

Message Text

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C O N F I D E N T I A L TEHRAN 03220

LIMDIS

E.O. 11652: GDS
TAGS: SHUM, IR
SUBJ: DEPARTMENT'S HUMAN RIGHTS REPORT ON IRAN

1. ACTING FOREIGN MINISTER ZELLI CALLED ME IN AFTERNOON APRIL 4 TO "REOPEN A FILE". HE SAID HE WISHED TO "READ OUT" A REPORT WHICH CONCERNED CERTAIN POINTS IN THE DEPARTMENT'S HUMAN RIGHTS REPORT ON IRAN.

2. TAKING GREAT CARE TO STRESS THAT HE WAS NOT RPT NOT PROTESTING THE DEPARTMENT'S REPORT, HE SAID THAT THE POINTS HE WAS ABOUT TO READ WERE FOR THE SOLE PURPOSE OF "CLARIFYING" THE MINDS" OF THOSE WHO WROTE THE REPORT ON CERTAIN SPECIFIC LEGAL POINTS.

3. HE THEN WENT ON AT SOME LENGTH TO READ FROM A LEGAL BRIEF WHICH CONTAINED COMMENTARY ON THREE OR FOUR SPECIFIC POINTS IN THE DEPARTMENT'S REPORT. THESE CONCERNED ARBITRARY ARREST, THE COMBINED FUNCTION OF ARRESTING AUTHORITY AND ARRAIGNING MAGISTRATE, THE PROVISION OF AN ATTORNEY FOR THE ACCUSED IN THE PRELIMINARY EXAMINATION, PROLONGED DETENTION, ETC.

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4. ON MOST OF THESE POINTS, THE BRIEF CONTENDED THAT THE DEPARTMENT'S REPORT WAS IN ERROR. HOWEVER, ON THE QUESTION OF HAVING COUNSEL AVAILABLE TO THE DEFENDANT DURING PRELIMINARY EXAMINATION, THE BRIEF ADMITTED THAT THE IRANIAN SYSTEM HAD A SHORTCOMING AND THAT A CHANGE WAS "UNDER ACTIVE CONSIDERATION".

5. ALTHOUGH I TOOK NOTES ON ALL THESE MATTERS, I SAID IT WOULD BE IMPOSSIBLE FOR ME TO CONVEY THE EXACT TENOR OF THE BRIEF UNLESS I COULD HAVE A COPY OF IT. ZELLI SAID HE WAS "NOT AUTHORIZED" TO GIVE ME A COPY, BUT I COULD SEND A MEMBER OF MY STAFF TO READ IT AND TAKE "MORE EXTENSIVE NOTES." I SAID I WOULD SEND AN OFFICER IN THE NEXT DAY OR TWO.

6. IN CLOSING, I TOLD ZELLI THAT I WAS VERY PLEASED TO NOTE, FROM THIS INTERVIEW, THAT THE GOVERNMENT OF IRAN TREATED THE DEPARTMENT'S REPORT SERIOUSLY AND I FELT CERTAIN THAT THE DEPARTMENT WOULD TREAT IRAN'S OBSERVATIONS IN THE SAME VEIN. I STRESSED THAT WE WISHED TO HAVE AN ACCURATE UNDERSTANDING NOT ONLY OF THE THEORY OF IRAN'S JUDICIAL SYSTEM, BUT ALSO OF ITS APPLICATION.

7. IN THIS CONNECTION, I NOTED THAT THERE WAS A "HOT LINE" BETWEEN SEVERAL IRANIAN DISSIDENT ORGANIZATIONS AND RESPECTABLE AMERICAN GROUPS SUCH AS THE COUNCIL OF CHURCHES. INCIDENTS OCCURRING IN IRAN WERE KNOWN ALMOST IMMEDIATELY IN THE U.S., BUT OFTEN IN EXAGGERATED OR DISTORTED FORM. SOME OF THESE RESPONSIBLE GROUPS MADE A PRACTICE OF CALLING THE DEPARTMENT OF STATE FOR CLARIFICATION OR CONFIRMATION, A PRACTICE WHICH WE ENCOURAGED. I SAID IT WOULD BE VERY HELPFUL, IN SUCH CASES, IF WE COULD HAVE AN OFFICIAL CONTACT POINT IN THE MINISTRY WHICH THE EMBASSY COULD CALL TO GET AUTHORITATIVE INFORMATION ON DISSIDENT
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EVENTS.

8. ZELLI TOOK THIS ABOARD, BUT WAS NONCOMMITTAL IN HIS REPLY. I WILL HAVE THE OFFICER WHO READS THE LEGAL BRIEF AT THE MINISTRY FOLLOW UP THIS REQUEST FOR AN OFFICIAL POINT OF CONTACT. IN THE MEANTIME, I THINK IT WOULD BE USEFUL FOR THE DEPARTMENT TO ENCOURAGE CONCERNED AMERICAN ORGANIZATIONS TO CONTINUE TO CHECK THEIR IRANIAN DISSIDENT REPORTS WITH WASHINGTON FOR CONFIRMATION AND CORROBORATION FROM THIS EMBASSY.
SULLIVAN

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